

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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U.S. DISTRICT COURT

2004 APR 28 P 3:18

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Attorneys for Plaintiff
VELUX AMERICA, INC.

VELUX AMERICA INC.,

Plaintiff,

v.

BUILDING MATERIALS
CORPORATION OF AMERICA, d/b/a
GAF MATERIALS CORPORATION

Defendant.

CIVIL ACTION NO. 04-221(WJM)

PLAINTIFF'S MOTION TO WITHDRAW COMPLAINT AND DISMISS

Pursuant to Fed. R. Civ. P. 41(a), VELUX AMERICA, INC. ("VELUX") hereby moves to dismiss this action without prejudice. VELUX states that the Complaint in this case was never served upon the defendant Building Materials Corporation of America d/b/a GAF Service Corporation.

Respectfully submitted,

VELUX AMERICA INC.

By its attorneys,



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Dated: April 26, 2004

#218373

CO ORDERED:


WILLIAM J. MARTINI, U.S.D.J.

DATED: 5/3/04